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to the United Nations  
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**Executive summary**

**Note by the Secretariat**

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## II. Executive summary

### Grenada

#### 1. Introduction: Overview of the legal and institutional framework of Grenada in the context of implementation of the United Nations Convention against Corruption

Grenada is an island nation consisting of Grenada itself and two smaller islands in the south-eastern part of the Caribbean Sea. Grenada is a parliamentary democracy with Queen Elizabeth II as its titular head. Grenada became an independent State on 7 February 1974. The legal system is derived from English common law and statutes. The Grenada Constitution Order 1973 is the supreme law of Grenada and any law that is inconsistent with the Constitution shall be void to the extent of the inconsistency.

Grenada acceded to the United Nations Convention against Corruption on 1 April 2015. The Convention subsequently came into force in Grenada on 1 May 2015.

With regard to the incorporation of international law into domestic law, Grenada follows a dualist approach. Therefore, the Convention is not directly applicable.

The main anti-corruption institutions are the Director of Public Prosecutions (DPP), the Office of the Attorney-General (OAG), the Financial Intelligence Unit (FIU), the Royal Grenada Police Force (RGPF), the Public Service Commission and the Office of the Integrity Commission.

The main pieces of anti-corruption legislation are the Prevention of Corruption Act (Act No. 15 of 2007, the “PCA”), the Criminal Code (Act No. 76 of 1958 as amended, the “CC”), the Criminal Procedure Code of 1897 (as amended, the “CPC”), the Proceeds of Crime Act (Act No. 6/2012, the “POCA”) and the Financial Intelligence Unit Act (Act No. 14/2012, the “FIU Act”).

Grenada is a party to the Inter-American Convention against Corruption and has been reviewed in four rounds under the respective implementation review mechanism (MESICIC). It is also a member of the Caribbean Financial Action Task Force, a FATF-style regional body, and has undergone multiple rounds of mutual evaluation reviews.

#### 2. Chapter III: Criminalization and law enforcement

##### 2.1. Observations on the implementation of the articles under review

###### *Bribery and trading in influence (arts. 15, 16, 18 and 21)*

Active and passive bribery is criminalized in section 4 PCA. Together with the definitions in section 3 PCA, this provision implements almost all the elements of article 15. Entities are not explicitly mentioned as potential third-party beneficiaries of a bribe, but according to the Interpretation and General Provisions Act, the term “person” includes any company or association or body of persons, corporate or unincorporated. While the promise or giving of a bribe is not mentioned in section 4 (1) PCA, section 3 (b) clarifies that the offer includes a situation where the briber or any person acting on his or her behalf, directly or indirectly (i) agrees to give, or (ii) gives or holds out, any gratification to or in trust for any other person. The undue advantage is called “gratification” and is defined in section 2 PCA, in compliance with the Convention. Public officials (“public officers”) as recipients of a bribe are also defined in section 2 PCA. The definition refers to article 111 of the Constitution and to any “person who is a member of a public body”. This definition does not seem broad enough as it would not encompass for instance judges or the Governor-General.

While the PCA has repealed some corruption-related provisions of the CC (sections 405 and 406 CC), there are a number of corruption offences remaining in Title XXVII of the CC (“Offences relating to public offices”, e.g. sections 392, 396-399), which remain in force and have not been superseded by the PCA.

Grenada fully criminalizes the active and passive bribery of foreign public officials through sections 2 and 6 PCA. However, the bribery of officials of public international organizations is not criminalized.

Section 5 PCA criminalizes active and passive trading in influence. However, in the case of active trading in influence, the intermediary (the person exercising his influence) can only be a public official, not “any other person”. Moreover, the offence is limited to the context of public contracts.

Bribery in the private sector has not been criminalized.

*Money-laundering, concealment (arts. 23 and 24)*

The POCA implements all aspects of article 23 (1). The act covers the acquisition, conversion, use or transfer of property, and the concealment or disguise of the illicit origin of such property, knowing or suspecting that such property is the proceeds of crime (sections 35 and 36 POCA). Attempt, aiding and abetting is criminalized under sections 34 and 37. Predicate offences are listed in the Schedule to the POCA. No. 8 of the Schedule lists “corruption and bribery”. However, these terms are not defined in the POCA; therefore, it is not clear if all Convention offences are included. Section 2 POCA defines predicate offences to include acts which would constitute an offence if committed in Grenada. The offender himself may also be the perpetrator of the predicate crime, thus self-laundering is criminalized.

The offence of money-laundering as defined in sections 35 and 36 POCA is wide enough to encompass concealment in the sense of article 24 since it comprises the mere possession of proceeds of crime.

*Embezzlement, abuse of functions and illicit enrichment (arts. 17, 19, 20 and 22)*

Embezzlement both in the public and the private sector is criminalized under sections 275 and 278D CC. Abuse of functions is partially criminalized under sections 392 und 416 CC. Illicit enrichment has not been criminalized. However, Grenada has introduced a financial disclosure system with the Integrity in Public Life Act (Act No. 14 of 2007), albeit without criminal penalties for inaccurate declarations.

*Obstruction of justice (art. 25)*

Obstruction of justice is criminalized in sections 354 and 359 et seq. CC, which criminalize obstructing a public officer, perjury, fabrication and destruction of evidence, as well as the common law offence of contempt of court. The giving of testimony is protected by section 369. Interference with the exercise of official duties by a justice or law enforcement official is criminalized in sections 167, 352 and 354 CC.

*Liability of legal persons (art. 26)*

Section 3 CC clarifies that the term “person” includes “any body of persons, corporate or unincorporated”. As a general principle, legal persons are therefore included under the scope of liability of the offences established in accordance with the Convention. The liability of legal persons for money-laundering offences is enshrined in section 32 (5) POCA. However, the criminal liability of legal persons for Convention offences remains untested in practice. There is no civil or administrative liability for Convention offences.

The liability of the legal person does not exclude the liability of the natural person.

*Participation and attempt (art. 27)*

Section 45 CC establishes liability for anyone who “instigates, commands, counsels, procures, solicits, or in any manner purposely aids, facilitates, encourages, or promotes” the commission of a crime. Attempt is criminalized for all crimes under section 43 CC. All Convention offences that are criminalized are crimes. The mere

preparation of a corruption offence is not criminalized but conspiracy is, under section 48 CC.

*Prosecution, adjudication and sanctions; cooperation with law enforcement authorities (arts. 30 and 37)*

The PCA and the CC provide for sanctions that vary with the gravity of the offence, the circumstances of the case and the position of the persons involved. For instance, bribery of members of Parliament (section 9 (3) PCA) is punished more severely than bribery of “ordinary” public officers (section 4 (3) PCA).

Members of Parliament have functional immunity from civil and criminal suit in the exercise of their parliamentary functions. Otherwise, there are no immunities or jurisdictional privileges afforded to any person with regard to investigating, prosecuting and adjudicating Convention offences.

Under section 71 (2) of the Constitution, the DPP has the power to institute and to discontinue criminal proceedings. This discretionary power is, in theory, subject to judicial review. A code of conduct guides the work of prosecutors.

Bail is regulated comprehensively in title X CPC. These provisions take into consideration the need to ensure the presence of the defendant at subsequent criminal proceedings. Decisions on early release or parole are made by the head of the prison institution (not the court) and are based on good conduct and the length of the remaining sentence, which is determined by the gravity of the offence.

Section 80 of the Public Service Commission Regulations allows for the suspension of officials accused of having committed an offence. Pursuant to section 4 (4) PCA, a public officer convicted of a corruption offence shall be disqualified from holding any public office for a period of seven years from the date of conviction. Disciplinary proceedings under the Public Service Commission Regulations are independent from criminal proceedings and cover a wide spectrum of sanctions.

Grenada does not have a well-established framework to promote the reintegration into society of persons convicted of Convention offences.

Cooperation with law enforcement authorities is encouraged to the extent that, in practice, an offender’s sentence can be mitigated if he provides substantial cooperation to law enforcement authorities. In addition, while the law does not explicitly provide for immunity from prosecution, the Police Prosecution Department and the DPP exercise discretion in each case whether it is in the public interest to prosecute a person, taking into consideration a range of issues and circumstances, including the extent to which the person has cooperated.

*Protection of witnesses and reporting persons (arts. 32 and 33)*

Grenada has a Witness Protection Act. However, section 4 of that Act contains a limited catalogue of “qualifying offences”, that does not include corruption or money-laundering offences.

There are no programmes for the physical protection or relocation of witnesses. The use of modern technology such as video for hearings is not currently possible.

Victims can be assisted by a lawyer who can support the prosecution. If the DPP gives the fiat, private prosecution is possible.

Grenada does not have dedicated legislation for the protection of reporting persons. However, section 41 of the Integrity in Public Life Act requires that all declarations received by an officer of the Integrity Commission are kept confidential. There is no obligation for officials to report wrongdoing.

*Freezing, seizing and confiscation; bank secrecy (arts. 31 and 40)*

Proceeds of crime can be confiscated pursuant to a confiscation order made by a Magistrate in a Magistrate’s Court or a Judge of the High Court under section 6

POCA. This confiscation is value-based. Instrumentalities can be forfeited under section 44 CC. In addition, in the field of money-laundering, property, including instrumentalities, can be forfeited under section 49 (1) POCA. This provision also applies to transformed or converted proceeds.

A judge or magistrate may order the seizure of any property which there is reason to believe has been obtained by, or is the proceeds of, any offence, or into which the proceeds of any offence have been converted under section 16 CPC. The seizure of things intended to be used in the commission of an offence is governed by section 17 CPC. Under section 21 POCA, the High Court may make a restraint order prohibiting a person from dealing with any realisable property.

Confiscated financial assets are managed by the Confiscated Assets Fund, established under section 40 POCA. The courts and the police are responsible for the management of seized and frozen property.

Non-conviction-based forfeiture is available under section 49 (2) POCA when it has been demonstrated to the satisfaction of the court that a property is, or represents, the proceeds of criminal conduct. Additionally, section 31A POCA has introduced recovery in civil proceedings, where a lower standard of proof applies (“balance of probabilities”). This recovery also applies to transformed or intermingled property (sections 31C, 31D and 31E POCA) and profits (section 31F POCA). Freezing orders can be made under section 31L POCA.

The rights of bona fide third parties are protected by section 16 CPC and sections 31G and 49 (3) POCA.

There is no central register of bank accounts in Grenada. Bank, financial or commercial records can be made available through a production order by a court under section 53 POCA. Account information must also be disclosed by a bank on the basis of an order to obtain information under section 12 (1)(f) PCA. Moreover, the FIU is empowered by sections 6 (1) and 62 (b) of the FIU Act to request information from a financial institution that it considers necessary to fulfil its function without resort to a court order.

#### *Statute of limitations; criminal record (arts. 29 and 41)*

There is not statute of limitations in Grenada for indictable offences. However, offences under the PCA are not indictable but rather summary offences. For summary offences, a complaint to institute proceedings can only be made within three months from the time when the matter of the complaint arose (section 69 (1) CPC), i.e. after the commission of the offence.

There is no legislation on the possible use of foreign criminal records.

#### *Jurisdiction (art. 42)*

Grenada has established territorial jurisdiction (section 8 CC), including for abetting acts that are partly committed outside the territory (section 9 CC). The territory of Grenada includes the internal waters, the territorial sea and the archipelagic waters (section 26 Territorial Sea and Maritime Boundaries Act). No other bases for jurisdiction have been established. Since Grenada can and does extradite its citizens, the question of prosecution in lieu of extradition does not arise.

#### *Consequences of acts of corruption; compensation for damage (arts. 34 and 35)*

Grenada has not implemented article 34.

Under general civil law, it is possible to sue for damages arising from acts of corruption. Pursuant to section 71 CC, any person who is convicted of an offence may be adjudged by the Court to compensate any person injured by his offence.

#### *Specialized authorities and inter-agency coordination (arts. 36, 38 and 39)*

Grenada does not have a specialized anti-corruption commission. The main law enforcement authorities combating corruption are the DPP, the RGPF and the FIU. The Integrity Commission does not have law enforcement powers.

The DPP is a tenured official who is independent from the Ministry of Legal Affairs and the Attorney General. He has the power to institute and to discontinue any criminal proceedings. Currently, his office is staffed with four prosecutors, who are also supported by police prosecutors. The office of the DPP regularly participates in subregional, regional and international training opportunities.

The RGPF is headed by a commissioner of police appointed by the Governor-General and has a strength of about 900 men and women working at the St. George's headquarters or in one of the 15 police stations across the island. Corruption investigations would be led by the RGPF Criminal Investigation Department.

The FIU is the primary institution in Grenada with responsibilities to investigate all categories of financial crimes. It maintains a relationship with regional and international associations and ensures compliance with the POCA. Its independence is enshrined in the FIU Act.

A technical working group has been created to coordinate the work of the relevant government agencies. It comprises the DDP, FIU, customs, police, inland revenue and other agencies, where discussions are held and information is shared. A memorandum of understanding has been established to guide the operations of the technical working group, which meets once a month.

Section 33 POCA provides for the establishment of a joint anti-money-laundering and terrorist financing advisory committee, which consists of members drawn from the private sector with knowledge and experience in issues pertaining to countering money-laundering and the financing of terrorism. The FIU works closely with the private sector and provides training on an ongoing basis. Apart from the obligation to report suspicious transactions to the FIU, there are no mechanisms to encourage the reporting of Convention offences.

## **2.2. Successes and good practices**

Overall, the following successes and good practices in implementing Chapter III of the Convention are highlighted:

- The offence of money-laundering does not require positive knowledge that property is the proceeds of crime; having reasonable grounds to suspect that this is the case is sufficient (art. 23 (1))
- The absence of immunities and jurisdictional privileges for public officials (art. 30 (2))
- The wide range of measures available in relation to article 31 (freezing, seizure and confiscation).

## **2.3. Challenges in implementation**

While noting Grenada's efforts in the field of anti-corruption, a number of challenges in implementation and/or grounds for further improvement were identified. It was recommended that Grenada:

- Clarify to what extent the corruption offences in the CC (section 392 et seq.) have been superseded by the PCA and to what extent they remain applicable
- Amend the definition of public officers in section 2 PCA to bring it fully in line with articles 2 (a) and 15
- Criminalize the active bribery of officials of public international organizations and consider criminalizing the passive bribery of officials of public international organizations (art. 16)

- Consider amending section 5 (1) PCA to add the words “or any other person” after “public officer”, and remove the limitation to contracts and subcontracts (art. 18)
- Consider fully criminalizing abuse of functions in line with article 19
- Consider criminalizing bribery in the private sector (art. 21)
- Amend No. 8 of the Schedule to the POCA (e.g. by including all crimes) or define “corruption and bribery” in the POCA to ensure that all Convention offences are predicate offences to money-laundering (art. 23 (2))
- Amend the PCA to make all Convention offences indictable offences (for which there is no statute of limitations) in order to ensure that the three-month time limit in section 69 (1) CPC is not applicable to Convention offences (art. 29)
- Endeavour to promote the reintegration into society of persons convicted of Convention offences (art. 30 (10))
- Amend the scope of the Witness Protection Act to include Convention offences as qualifying offences in section 4 (art. 32 (1))
- Establish procedures for the physical protection and relocation of witnesses, experts and victims (art. 32 (2)); consider entering into agreements or arrangements with other States for the relocation of such persons (art. 32 (3))
- Consider adopting appropriate measures to provide protection for reporting persons against any unjustified treatment (art. 33)
- Take measures to address consequences of corruption in line with article 34
- Consider mechanisms to encourage citizens to report to the national investigating and prosecuting authorities the commission of Convention offences (art. 39 (2))
- Establish jurisdiction for Convention offences committed on board a Grenadian vessel or aircraft (art. 42 (1)(b)).

In addition, Grenada may:

- Implement article 41 on the use of foreign criminal records
- Establish jurisdiction for Convention offences committed against (art. 42 (2)(a)) or by (art. 42 (2)(b)) a Grenadian national
- Establish jurisdiction for participation in money-laundering outside Grenada in line with article 42 (2)(c)
- Establish jurisdiction for Convention offences committed against Grenada (art. 42 (2)(d))
- Establish jurisdiction for Convention offences when the alleged offender is present in the territory and Grenada does not extradite him or her (art. 42 (4)).

### **3. Chapter IV: International cooperation**

#### **3.1. Observations on the implementation of the articles under review**

*Extradition; transfer of sentenced persons; transfer of criminal proceedings (arts. 44, 45 and 47)*

Extradition is governed by the Extradition Act (Act No. 22 of 1998, “the EA”) and extradition treaties with the United States of America and China. As a Commonwealth country, Grenada also applies the London Scheme for extradition within the Commonwealth. However, as a general observation, it can be noted that Grenada has very little practice with regard to extradition. Over the past 10 years, only about four

extradition cases have been processed. Those cases all concerned other Commonwealth countries and no request was based on the Convention.

Extradition under the EA is only possible if “extradition arrangements” between Grenada and a foreign State exist (cf. section 5 EA). Such arrangements can be of a general nature (section 5 (2)(a) EA) or of a special nature (section 5 (2)(b) EA). Commonwealth countries listed in the First Schedule to the EA fall under the general arrangements. However, for non-Commonwealth countries, special arrangements are necessary. Therefore, outside the Commonwealth, extradition currently only seems to be possible between Grenada and the United States of America and China, where extradition treaties exist. In theory, Grenada could use the Convention as the legal basis for extradition pursuant to section 24 (2)(c) EA if it was so designated by the Minister responsible for foreign affairs. However, this has not yet been done by Grenada.

Section 4 (1)(a) EA requires that extradition offences are punishable with imprisonment for a term of five years or more. This threshold means that not all Convention offences are extraditable offences, in particular bribery offences, which pursuant to section 4 of the PCA are punishable with a maximum of three years’ imprisonment only. Moreover, there is a conflict between the threshold in the EA and the one in the extradition treaties with the United States and China, which only foresee a one-year threshold.

Extradition is subject to dual criminality. However, in compliance with article 43 (2), Grenada pursues a flexible approach that looks at the underlying conduct (art. 2 (3)) of the Treaty with the United States). Accessory extradition (art. 44 (3)) is not possible. Pursuant to section 8 (6)(a) EA, Convention offences are no political offences.

Grounds for refusal are listed in section 8 EA in line with the Convention, albeit subject to an exemption in section 8 (3) EA. Fiscal matters are not included in the list of grounds of refusal. The rule of specialty is enshrined in section 20 EA. Grenada can and does extradite its own nationals and does not make this conditional on an undertaking that the person will be returned to serve his sentence (art. 3 of the Treaty with the United States).

Section 8 of the Constitution contains guarantees for fair trial for any person who is charged with a criminal offence. These rights and freedoms are directly applicable and are not limited to citizens. The EA also has provisions on habeas corpus.

Grenada has not yet refused a request for extradition but there are no explicit provisions on consultations.

Grenada has an arrangement on the transfer of sentenced persons with the United Kingdom of Great Britain and Northern Ireland, the Transfer of Convicted Offenders (Commonwealth) Act. There are no provisions for the transfer of criminal proceedings.

#### *Mutual legal assistance (art. 46)*

Mutual legal assistance (MLA) is governed by the Mutual Legal Assistance in Criminal Matters Act (Act No. 14 of 2001, “the MLAA”). With the exception of Commonwealth countries, MLA can only be granted to countries that have been designated by order published in the Gazette by the Minister responsible for Legal Affairs, section 4 (2) and 2 (1) MLAA. Other than for the United States and China, no such designations have been made yet. However, according to section 4 (2) MLAA, the Minister can designate any country that is a party to a multilateral scheme or agreement that provides for such assistance and to which Grenada is also a party.

The MLAA provides for most of the types of investigative measures listed in article 46 (3). Moreover, as long as it is not specifically prohibited, Grenada can render any assistance sought by the requesting State.



Grenada can spontaneously transmit information on the basis of section 5 of the MLAA and section 3 (d) of the FIU Act. There are, however, no provisions on confidentiality.

Bank secrecy cannot be invoked vis-à-vis the FIU. If formal evidence is required, the FIU can request a production order in court.

Section 18 (1)(a) MLAA gives the central authority discretion to refuse a request in the absence of dual criminality but could allow non-coercive MLA in that case. The Treaty with the United States does not make dual criminality a requirement for granting MLA (art. 1 (3)).

The transfer of detained witnesses is governed by sections 10, 25 and 32 MLAA. Section 10 MLAA obliges Grenada to comply with any conditions with respect to the prisoner's release or return, or with respect to any other matter that has been imposed by the other State. This could include safe conduct. For other witnesses, Grenada can provide for safe conduct pursuant to section 13 MLAA and article 10 of the Treaty with the United States.

Section 2 and 3 MLAA designate the Attorney General as the central authority for MLA. Also, section 5 MLAA allows the use of the communication channels of the International Criminal Police Organization (INTERPOL). The central authority is empowered to transmit and receive MLA requests directly rather than through diplomatic channels (art. 2 (3) of the Treaty with the United States). Section 16 MLAA and the Schedule to this section set out detailed requirements for the form and content of MLA requests to Grenada. A request must be made in English and must normally be in writing; if made orally owing to urgency, it must be confirmed in writing forthwith.

Procedures specified in the request can be followed to the extent that they are not explicitly contrary to Grenada law. The legal framework for hearings conducted by videoconference has been created but is not yet in force. The rule of specialty is observed (section 12 of the MLAA and article 7 of the MLA Treaty with the United States). There is no explicit provision on the obligation of the Grenada central authority to keep requests confidential.

Grounds for refusal to grant MLA are listed in section 18 MLAA. Grenada would not refuse a request for MLA on the sole ground that the offence is also considered to involve fiscal matters. Pursuant to section 18 (5) MLAA, the grounds for refusal of an MLA request must be communicated to the requesting country. According to section 17 (1) MLAA, a request for assistance must be executed as expeditiously as possible. Section 17 MLAA also obliges the central authority to inform the requesting country of any reason for refusal or for delaying the request. Grenada will bear the ordinary costs of executing a request. Documents in the public domain can be provided while confidential documents will not be provided.

*Law enforcement cooperation; joint investigations; special investigative techniques (arts. 48, 49 and 50)*

Grenada does not consider the Convention as a basis for law enforcement cooperation.

Grenada has been an INTERPOL member since 1986. The INTERPOL National Contact Bureau is located within the Criminal Investigation Department of the Royal Grenada Police Force and is headed by an Assistant Police Chief. The Bureau has access to INTERPOL databases through the I-24/7 global police communications system.

The Royal Grenada Police Force is also a member of the Association of Caribbean Commissioners of Police (ACCP), which was established in 1987 in Castries. While there are no foreign liaison officers in Grenada, the United States has liaison officers in Barbados who are also responsible for Grenada.

Since 1984, Grenada is also a member of the Regional Security System of the Eastern Caribbean, headquartered in Barbados. The System was created in October 1982 to

provide for mutual assistance on request. In 2015, the System established a new assets recovery programme. The Asset Recovery Unit of the Regional Security System is based in Barbados and covers the seven independent countries of the Eastern Caribbean, including Grenada.

The Grenada Financial Intelligence Unit has been a member of the Egmont Group of FIUs since 2003 and has entered into memorandums of understanding with several foreign FIUs.

Grenada has not entered into any agreements that provide for joint investigations.

Except for controlled delivery, special investigative techniques are not currently mentioned in the CPC or practiced in Grenada. However, in accordance with common law principles of criminal procedure, any relevant evidence is admissible, even if it was obtained illegally, unless it has been obtained by unfair means or through a deliberate breach of procedures.

### **3.2. Successes and good practices**

- As long as it is not specifically prohibited, Grenada can render any assistance sought by the requesting State and can follow the procedures specified in the request to the extent that they are not explicitly contrary to Grenada law (art. 46).

### **3.3. Challenges in implementation**

- Remove the requirement of “extradition arrangements” (section 5 EA) with regard to States parties to the Convention by designating the Convention as a convention pursuant to section 24 (2)(c) EA (art. 44 (1) and (6))
- Clarify the relationship between the EA and extradition treaties in the event of a conflict (art. 44 (6))
- Lower the minimum punishment threshold for extradition offences (section 4 (1) EA) in order to ensure that all Convention offences — and in particular those under the PCA — are included as extraditable offences under the EA (art. 44 (7))
- Consider abolishing the exemption from the restriction on extradition in section 8 (3) EA (art. 44 (15))
- Consider establishing a procedure for consultation before denying a request for extradition concerning an offence under this Convention (art. 44 (17))
- Remove the requirement to designate countries to which MLA can be provided pursuant to section 4 (2) MLAA; or designate all States parties to the Convention as countries which are party to a multilateral agreement which provides for such assistance and to which Grenada is also a party (art. 46 (1))
- Adopt explicit rules to provide for the confidentiality of information received spontaneously, and ensure that exculpatory information can nevertheless be disclosed (art. 46 (5))
- Add a provision to the MLAA obliging the central authority to keep requests confidential if so required by a requesting State party (art. 46 (20))
- Establish a procedure for consultation before refusing MLA (art. 46 (26))
- Consider regulating the transfer of criminal proceedings, in particular in cases where several jurisdictions are involved (art. 47)
- Endeavour to cooperate to respond to offences covered by this Convention committed through the use of modern technology (art. 48 (3))
- Consider the establishment of joint investigative bodies; or undertake joint investigations on a case-by-case basis (art. 49)

- Allow for the appropriate use by competent authorities of controlled delivery and, where appropriate, other special investigative techniques, such as electronic or other forms of surveillance and undercover operations, and allow for the admissibility in court of evidence derived therefrom (art. 50).

#### **3.4. Technical assistance needs identified to improve implementation of the Convention**

Grenada indicated that the following technical assistance, if available, would be helpful in assisting Grenada to strengthen the implementation of the Convention:

- Capacity-building for law enforcement agencies to investigate and prosecute complex corruption offences (art. 36)
  - Legislative assistance to strengthen the legal framework on witness protection and protection of reporting persons (arts. 32 and 33)
  - Support to strengthen regional networks among law enforcement officials through regional training on international cooperation (art. 48)
  - Assistance to implement Conference resolution 6/9, entitled “Strengthening the implementation of the United Nations Convention against Corruption in small island developing States”.
-